

**Nos. 19-1127, 19-1132**

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**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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**TROUTBROOK COMPANY, LLC  
d/b/a BROOKLYN 181 HOSPITALITY, INC.**

*Petitioner/Cross-Respondent*

**v.**

**NATIONAL LABOR RELATIONS BOARD**

*Respondent/Cross-Petitioner*

**and**

**NEW YORK HOTEL AND MOTEL TRADES COUNCIL, AFL-CIO**

*Intervenor*

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**ON PETITION FOR REVIEW AND CROSS-APPLICATION FOR  
ENFORCEMENT OF AN ORDER OF  
THE NATIONAL LABOR RELATIONS BOARD**

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**BRIEF FOR INTERVENOR UNION**

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**December 11, 2019**

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## **CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to Local Rule 28(a)(1) of the Rules of this Court, counsel for the Union certifies the following:

### **A. Parties and Amici**

Troutbrook Company, LLC d/b/a Brooklyn 181 Hospitality, Inc. was the Respondent before the Board and is the Petitioner/Cross-Respondent before the Court. The New York Hotel and Motel Trades Council, AFL-CIO was the charging party before the Board and has intervened on behalf of the Board. The Board is the Respondent/Cross-Petitioner before the Court; its General Counsel was a party before the Board. There were no intervenors or amici before the Board.

### **B. Ruling Under Review**

The ruling under review is a Decision and Order of the Board in *Troutbrook Company, LLC d/b/a Brooklyn 181 Hospitality, Inc.*, 367 NLRB No. 139 (June 3, 2019).

### **C. Related Cases**

This case has not previously been before this or any other court. This proceeding relies on a representation proceeding before the Board, Case No. 29-RC-216327, and the Board's December 13, 2018 order in that case, published at 367 NLRB No. 56. Union counsel is not aware of any other related cases.

Dated: New York, New York  
December 11, 2019

Respectfully submitted,

/s/ Barry N. Saltzman

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**JOINDER OF INTERVENOR UNION IN THE BRIEF OF RESPONDENT  
NATIONAL LABOR RELATIONS BOARD**

The New York Hotel and Motel Trades Council, AFL-CIO, Intervenor for Respondent, joins in the Brief of the National Labor Relations Board and fully supports its arguments in support of the Decision and Order of the National Labor Relations Board in this case. The New York Hotel and Motel Trades Council, AFL-CIO has twice won National Labor Relations Board supervised elections to represent the employees at this hotel, both by overwhelming majorities. The Decision and Order should therefore be enforced so that these employees can finally enjoy their right to bargain collectively as promised them by federal law.

Dated: New York, New York  
December 11, 2019

Respectfully submitted,

/s/ Barry N. Saltzman

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Union certifies that its Joinder contains 111 words of proportionally spaced, 14 point type, and the word processing system used was Microsoft Word 2013.

Dated: New York, New York  
December 11, 2019

Respectfully submitted,

/s/ Barry N. Saltzman

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 11, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system. I certify the foregoing document was served on all those parties or their counsel of record through the CM/ECF system.

Dated: New York, New York  
December 11, 2019

/s/ Barry N. Saltzman

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